

Argyle House School Code of Conduct for Teaching and Support Staff

Overview

Argyle House School seeks to provide a safe and supportive environment, which secures the well-being and very best outcomes for students in their care. This document should clarify what is expected in terms of professional behaviour and what might be considered as misconduct. It also describes safe practice and which behaviours should be avoided.

If a member of staff does not follow this code of conduct this may lead to disciplinary procedures.

There may be times when professional judgements are made in situations not covered by this document, or which directly contravene the guidance given by their employer. It is expected that in these circumstances staff will always advise senior colleagues of their justification for any such action already taken or proposed.

Core Principles

- The welfare of students is paramount.
- Staff are responsible for their own actions and behaviour and should avoid any conduct which would lead any reasonable person to question their motivation and intentions.
- Staff should work and be seen to work in an open and transparent way.
- Staff should discuss and/or take advice promptly from a senior manager over any incident, which may give rise to concern.
- Records should be made of any such incident and of decisions made/further action agreed.
- Staff should apply the same professional standards in keeping with the School's Equality Policy.
- All staff should know the name of their designated safeguarding lead/deputies and be familiar with safeguarding arrangements and understand their responsibilities to safeguard and protect students.
- Staff should be aware that breaches of the law and other professional guidelines could result in criminal or disciplinary action being taken against them.

Safe Working Practices for the Protection of Students and Staff at Argyle House School

This guidance has been produced to help all staff establish the safest possible learning and working environments. The aims are to safeguard young people and reduce the risk of staff being falsely accused of improper or unprofessional conduct.

Duty of Care

Teachers and other staff are accountable for the way in which they exercise authority; manage risk; use resources and protect students from discrimination and avoidable harm.

All staff, whether paid or voluntary, have a duty to keep young people safe and to protect them from physical and emotional harm. This duty is in part exercised through the development of respectful, caring and professional relationships between staff and students and behaviour by staff that demonstrates integrity and good judgement.

There are legitimate high expectations about the nature of the professional involvement of staff in the lives of students. When individuals accept a role that involves working with children and young people, they need to understand and acknowledge the responsibilities and trust inherent in that role.

Employers have a duty of care towards their employees which requires them to provide a safe working environment for staff and guidance about safe working practices.

Exercise of Professional Judgement

This guidance cannot provide a complete checklist of what is, or is not, appropriate behaviour for staff. It does highlight however, behaviour that is illegal, inappropriate or inadvisable. There will be occasions and circumstances in which staff have to make decisions or take action in the best interests of the students which could contravene this guidance or where no guidance exists. Individuals are expected to make judgements about their behaviour in order to secure the best interests and welfare of the children in their charge and in so doing, will be seen to be acting reasonably.

Power and Positions of Trust

All adults working with students in education settings are in positions of trust in relation to the young people in their care. A relationship between a member of staff and a student cannot be a relationship between equals. There is potential for exploitation and harm of vulnerable young people; staff have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification.

Staff should always maintain appropriate professionalism and wherever possible, they should avoid behaviour which might be misinterpreted by others, and report and record any incident with this potential.

Where a person aged 18 or over is in a position of trust with a child under 18, it is an offence for that person to engage in sexual activity with/or in the presence of that child, or to cause or incite that child to engage in or watch sexual activity. Where a person aged 18 or over is in a position of trust established with a person who has only recently left the school, any attempt to engage in sexual activity with that person will be a cause for concern and will be treated as a breach of trust established in that prior relationship.

Confidentiality

Members of staff may have access to confidential information about students in order to undertake their everyday responsibilities. In some circumstances staff may be given additional highly sensitive or private

information. They should never use confidential or personal information about a student or her/his family for their own, or others' advantage. Information must never be used to intimidate, humiliate, or embarrass the student. Confidential information about students should never be used casually in conversation or shared with any person other than on a need-to-know basis. In circumstances where the student's identity does not need to be disclosed, the information should be used anonymously.

There are some circumstances in which a member of staff may be expected to share information about a student, for example when abuse is alleged or suspected. In such cases, individuals have a duty to pass information on without delay, but only to those with designated child protection responsibilities.

If a member of staff is in any doubt about whether to share information or keep it confidential he or she should seek guidance from a senior member of staff. Any media or legal enquiries should be passed to the Head Teacher.

Adults need to be aware that although it is important to listen to and support students, they must not promise confidentiality or request students to do the same under any circumstances.

Additional concerns and allegations about adults should be treated as confidential and passed to a senior manager without delay.

Propriety and Behaviour

All staff have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of students. They should adopt high standards of personal conduct in order to maintain the confidence and respect of their peers, students and public in general.

An individual's behaviour, either in or out of the workplace, should not compromise her/his position within the work setting, so it is important to exercise due care and attention when outside of the school environment.

Membership of organisations whose goals are in conflict with the values and equality policies of the school is not acceptable.

Dress and Appearance

Staff should consider the manner of dress and appearance appropriate to their professional role. We require students to be smart in their uniform. Smart and professional appearance is expected at all times for staff. Staff should ensure they are dressed decently, safely and appropriately for the tasks they undertake.

Those who dress or appear in a manner which could be considered as inappropriate could render themselves vulnerable to criticism or allegation. Appropriate personal presentation is expected of staff. Jewellery should not be ostentatious.

Gifts

Staff need to take care that they do not accept any gift that might be construed as a bribe by others or lead the giver to expect preferential treatment. There are occasions when students or parents wish to pass small tokens of appreciation to staff, for example at Christmas or as a thank you, and this is acceptable. Members of staff may not give personal gifts to individual students. It is acceptable for staff to offer gifts at Christmas or when the student is leaving the class of a small value.

Infatuations

Staff need to be aware that it is not uncommon for students to be strongly attracted to a member of staff and/or develop an infatuation. Staff should be aware that such circumstances always carry a high risk of words or actions being misinterpreted and for allegations to be made against staff.

A member who becomes aware that a student may be infatuated with themselves or a colleague should discuss this at the earliest opportunity with a senior colleague so that appropriate action can be taken. In this way, steps can be taken to avoid hurt and distress for all concerned.

Personal Living Space

No student should be in or invited into, the home of an adult who works with them, unless the reason for this has been firmly established and agreed with parents and senior managers.

Communication with Students

Communication between students and adults, by whatever method should take place within clear and explicit professional boundaries. This includes the wider use of technology. Adults should not share any personal information with a student. They should not request, or respond to, any personal information from the student, other than that which might be appropriate as part of their professional role. Adults should ensure that all communications are transparent and open to scrutiny.

Adults should also be circumspect in their communications with students so as to avoid any possible misinterpretation of their motives or any behaviour which could be construed as grooming. They should not give their personal contact details to students. This also includes communications through internet based websites, such as social networking, instant messaging or gaming.

Social Contact

Staff should not establish or seek to establish social contact with students, or their families, for the purpose of securing a friendship or to pursue or strengthen a relationship. Even if a young person seeks to establish social contact, or if this occurs coincidentally, the member of staff should exercise his/her professional judgement in making a response but should always discuss this with a senior manager. Staff must be aware that social contact, in certain situations, could be misconstrued as grooming.

Staff should not give any personal details to students, unless it has been agreed by the Head Teacher.

Social Networking Sites and Online Gaming

Staff must deny current or recent students' access to your profile so you do not put yourself in a vulnerable position.

Staff should be aware that they leave themselves open to a charge of professional misconduct if images of a member of staff in a compromising situation are made available on a public profile by anyone.

If a student does gain access to the profile of a member of staff by fraudulent means, senior management should be informed immediately. Where relationships exist between staff and those who are also parents at the school, or personal friends who are parents at the school, social networking is acceptable but caution must be exercised so that professional standards are maintained and staff do not compromise themselves or the school.

As soon as a member of staff becomes aware that they are in an online game with a student they should cease to play against that student.

Online Safety

The breadth of issues within online safety is considerable, but staff must be aware of the four main areas of risk:

- **Content-** being exposed to illegal, inappropriate or harmful content, for example: pornography, fake news, racism, misogyny, self-harm, suicide, anti-Semitism, radicalisation and extremism.
- **Contact-** being subjected to harmful online interaction with other users; for example: peer to peer pressure, commercial advertising and adults posing as children or young adults with the intention to groom or exploit them for sexual, criminal, financial or other purposes.
- **Conduct-** personal online behaviour that increases the likelihood of, or causes, harm: for example, making, sending and receiving explicit images.
- **Commerce-** risks such as online gambling, inappropriate advertising, phishing and or financial scams.

If staff feel they have been subjected to any of the areas above, they must make contact with management for help or the designated safeguarding lead.

Physical Contact

There are occasions when it is entirely appropriate and proper for staff to have physical contact with students, but it is crucial that they only do so in ways appropriate to their professional role. A no touch approach is impractical for most staff and may in some circumstances be inappropriate. When physical contact is made with students this should be in response to their needs at the time, of limited duration and appropriate.

Staff should use their professional judgement at all times about the appropriateness of any physical contact.

Physical contact should never be secretive, or for the gratification of the adult, or represent a misuse of authority. If a member of staff believes that an action could be misinterpreted, the incident and circumstances should be made clear to senior management.

Some staff, for example, those who teach PE and games, or who offer music tuition, will on occasions have to initiate physical contact with students in order to support a student so they can perform a task safely, to demonstrate the use of a particular piece of equipment/instrument or assist them with an exercise. This should be done with the student's agreement.

Changing

This supervision should be appropriate to the needs and age of the students concerned and sensitive to the potential for embarrassment. Staff therefore should be vigilant about their own behaviour.

Students in Distress

There may be occasions when a distressed student needs comfort and reassurance. This may include age-appropriate physical contact. Staff should remain self-aware at all times in order that their contact is not threatening intrusive or subject to misinterpretation.

Behaviour Management

All students have a right to be treated with respect and dignity. Staff should not use any form of degrading treatment to punish a student. The use of humour can help to defuse a situation.

Sexual Contact with Students

Any sexual behaviour by a member of staff with or towards a student is both inappropriate and illegal. The sexual activity referred to doesn't just involve physical contact, it may also include non-contact activities.

One to One Situations

Staff working in one-to-one situations with children and young people are more vulnerable to allegations. Teachers and others should recognise this possibility and plan and conduct such meetings accordingly. Every attempt should be made to ensure the safety and security needs of both staff and students are met.

Pre-arranged meetings with students away from the school premises should not be permitted unless approval is obtained from their parent and the Head Teacher or other senior management.

Extra-Curricular Activities

Please see Educational Visits Policy.

Staff should take particular care when supervising students in the less formal atmosphere of a residential setting or after-school activity.

First Aid and Administration of Medication

The school has an administration of medication policy, which must be adhered to at all times.

Intimate Care

Please refer to this specific policy.

Curriculum

Many areas of the curriculum can include or raise subject matter which is sexually explicit, or of an otherwise sensitive nature. Care should be taken to ensure that resource materials cannot be misinterpreted and clearly relate to the learning outcomes identified by the lesson plan. This plan should highlight particular areas of risk and sensitivity.

Photography, Videos and Other Creative Arts

Staff need to be aware of the potential for these aspects of teaching to be misused for pornographic or 'grooming' purposes. Careful consideration should be given as to how these activities are organised and undertaken. Using images of children for the school's publicity purposes has already had the consent of parents.

Internet Use

Under no circumstances should adults in the school access inappropriate images or indecent material. This would normally lead to disciplinary action, particularly if as a result, students might be exposed to inappropriate or indecent material.

Whistleblowing

Managing Allegations of Abuse against Teachers/Supply Staff/Volunteers/Coaches/Other Staff & Head Teacher

It is essential that any allegation of abuse made against a teacher or other member of staff or volunteer in our education setting is dealt with fairly, quickly, and consistently, in a way that provides effective protection for the child and at the same time supports the person who is the subject of the allegation. Thus, the procedures outlined in this policy will be followed alongside the school's complaints procedure, child protection and safeguarding policy.

All staff and volunteers should understand what to do if they receive an allegation against another member of staff or they themselves have concerns about the behaviour of another member of staff.

Two levels of Allegation/concern

Allegations that may meet the harms threshold:

- Behaved in a way that has harmed a child or may have harmed a child.
- Possibly committed a criminal offence against or related to a child.
- Behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children.
- Behaved or may have behaved in a way that indicates they may not be suitable to work with children.

Allegations which are low level concerns:

- The term low-level concern does not mean that it is insignificant, it means that the behaviour towards a child does not meet the threshold set out above. A low-level concern is any concern- no matter how small, and even if no more than causing a sense of unease or a nagging doubt- that an adult working in or on behalf of the school may have acted in a way that:
- Is inconsistent with the staff code of conduct, including inappropriate conduct outside of work.
- Does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO.
- Examples of such behaviour could include: being over friendly with children; having favourites; taking photographs of children on their mobile phone; engaging with a child on a one-to-one basis in a secluded area or behind a closed door or using inappropriate sexualised, intimidating or offensive language.

(Please see Low-Level Concerns Policy Version 2)

The importance of the low-level concerns to be reported is to embed a culture of openness, trust and transparency in which AHS values. This will set out the expected behaviour of staff and supply staff are constantly lived, monitored and reinforced. The low-level concerns should be reported in the same way as allegations which meet the threshold, (this is set out below).

Things to note:

- When a low-level concern has been raised by a third party, the Head Teacher will gather as much evidence as possible by speaking where possible with the person who raised the concern, to the individual involved and to any witnesses.
- The allegations record form should be used and the name of the person reporting should be noted but respecting their wishes to remain anonymous as far as reasonably possible.
- Records of low-level concerns will be reviewed so that potential patterns of concerning problematic or inappropriate behaviour can be identified and responded to. Where a pattern of behaviour is identified, the school will decide on a course of action. This could be an internal disciplinary procedure or a referral to the LADO.
- We will consider if any wider cultural issues in school that enabled the behaviour to occur and if appropriate policies could be revised or extra training delivered to minimise the risk of recurrence.

Procedure

It is our procedure that all allegations will be reported straight away, to the Designated Safeguarding Lead (Mr J Blair) immediately, in person first and then followed up with the information recorded on the 'Allegation Against a Member of Staff Recording Form.'

The School won't undertake in any form its own investigation until it has contacted the LADO at SSCP and the police. If the investigation is about a 'supply member of staff', once the LADO has been spoken to and it has been agreed, then the supply agency will be informed and involved.

The Designated Safeguarding Lead (Mr J Blair) will contact the LADO at SSCP, where all the information gathered will be discussed and a plan formulated to progress forward and agree a course of action including any involvement of the police/social services. At all times the LADO will be informed of any new developments in the investigation taking place.

If the Designated Safeguarding Lead isn't available, the same procedure will be undertaken by the Deputies (Mr Chris Johnson & Mrs Louise McIntosh).

If the Head Teacher or the Designated Safeguarding Lead is the subject of the allegation the LADO must be contacted directly and immediately, (the allegation can't be shared with the Deputy Designated Safeguarding Leads or colleagues until it has been agreed with the LADO) using the details below:

Sunderland Designated Officer-LADO: designatedofficer@togtherforchildren.org.uk ;

Sunderland Education Safeguard Lead: Danielle Rose; (Sunderland Designated Officer referred to in the rest of the document as Designated Officer.)

An alternative place to report an allegation to is:

Sunderland Local Sunderland Safeguarding Children's Partnership (SSCP) Contact Information:

Secure e-mail: safeguarding.children@togetherforchildren.org.uk

Telephone Numbers: (0191) 5205560-during business hours

(0191) 5205552-out of hours service

An alternative place to report an allegation to is:

Jo Storey who is the Board Level Lead for safeguarding and representative on the Board for Proprietors. She can be contacted during term time and holidays at js@forfaeducation.co.uk on 07990045810 or by post via the school address- 19/20 Thornhill Park, Tunstall Road, Sunderland, SR2 7RG.

Any member of the School Workforce or Community can make a referral to the LADO if they feel this is necessary, before informing the Designated Safeguarding Lead.

All allegations must be reported to the Designated Officer (LADO) or SSCP within 24 hours.

This policy follows the Government guidance in 'Keeping Children Safe in Education' 2024 and WTSC 2023.

Purpose

This policy will be adopted in respect of allegations that might indicate that a person is unsuitable to continue to work with children in their present position, or in any capacity. The school's complaints and safeguarding procedures will be followed alongside this policy.

This policy will be used in respect of all cases in which it is alleged that a teacher or member of staff (including a volunteer) has:

- Behaved in a way that has harmed a child or may have harmed a child (see AHS Safeguarding Policy for definition of harm).
- Possibly committed a criminal offence against or related to a child.
- Behaved towards a child or children in a way that indicates s/he is unsuitable to work with children. This will include cases of verbal abuse.

The following definitions should be used when determining the outcome of allegation investigations:

- **Substantiated:** there is sufficient evidence to prove the allegation.
- **Malicious:** there is sufficient evidence to disprove the allegation.
- **False:** there is sufficient evidence to disprove the allegation.
- **Unsubstantiated:** there is insufficient evidence to either prove or disprove the allegation. The term, therefore, does not imply guilt or innocence.
- **Unfounded:** to reflect cases where there is no evidence or proper basis which supports the allegation being made.

There may be up to 3 strands in the consideration of an allegation:

- A police investigation of a possible criminal offence.
- Enquiries and assessment by children's social care about whether a child is in need of protection or in need of services.
- Consideration by the school of disciplinary action in respect of the individual.

Supporting Those Involved

Parents or carers of a child or children involved will be told about the allegation as soon as possible if they do not already know of it. They will also be kept informed about the progress of the case and told the outcome where there is not a criminal prosecution. That includes the outcome of any disciplinary process. NB. The deliberations of a disciplinary hearing, and the information taken into account in reaching a decision, cannot normally be disclosed, but the parents or carers of the child will be told the outcome.

In cases where a child may have suffered significant harm, or there may be a criminal prosecution, children's social care, or the police as appropriate, will be consulted by the Head Teacher in consultation with the Designated Officer, to consider what support the child or children involved may need. The Head Teacher will also keep the person who is the subject of the allegations informed of the progress of the case and consider what other support is appropriate for the individual. If the person is suspended, the Head Teacher will also keep the individual informed about developments at school. If the person is a member of a union or professional association s/he will be advised to contact that body at the outset.

Confidentiality

Every effort will be made to maintain confidentiality and guard against publicity while an allegation is being investigated/considered.

Record Keeping

A clear and comprehensive summary of any allegations made, details of how the allegation was followed up and resolved, and a note of any action taken and decisions reached, will be kept on a person's confidential personnel file, and a copy provided to the person concerned. The purpose of the record is to enable accurate information to be given in response to any future request for a reference if the person has moved on.

It will provide clarification in cases where a future DBS Disclosure reveals information from the police about an allegation that did not result in a criminal conviction. In addition, it will help to prevent unnecessary re-investigation if, as sometimes happens, an allegation re-surfaces after a period of time. The record will be retained at least until the person has reached normal retirement age or for a period of 10 years from the date of the allegation, if that is longer.

Timescales

It is in everyone's interest to resolve cases as quickly as possible, consistent with a fair and thorough investigation. Every effort will be made to manage cases to avoid any unnecessary delay.

Initial Considerations

The Designated Officer should be informed, by the Head Teacher or Designated Safeguarding Lead, of all allegations of abuse against staff on the same day, even where the police are contacted directly.

The Head Teacher will inform the accused person about the allegation as soon as possible after consulting the Chairman and the Designated Safeguarding Lead. However, where a strategy discussion is needed, or where police or children's social care need to be involved, the Head Teacher will not do that until those agencies have been consulted and have agreed what information can be disclosed to the person. If the person is a member of a union or professional association s/he will be advised to contact that organisation at the outset.

If the allegation is not demonstrably false or unfounded, and there is cause to suspect a child is suffering or is likely to suffer significant harm, a strategy discussion will be convened by the Head Teacher with the Designated Safeguarding Lead and other appropriate agencies, such as the police and social services.

In cases where a formal strategy discussion is not considered appropriate because the threshold of “significant harm” is not reached, but a police investigation might be needed, the Head Teacher will consult with the Designated Safeguarding Lead, police and any other agencies involved with the child to evaluate the allegation and decide how it should be dealt with.

(NB, the police will be consulted about any case in which a criminal offence may have been committed.)

If the allegation is about physical contact, the strategy discussion or initial evaluation with the police will take account of the fact that teachers and other school staff are entitled to use reasonable force to control or restrain pupils in certain circumstances, including dealing with disruptive behaviour, under s.93 of the Education and Inspections Act 2006.

The Designated Safeguarding Lead and the Head Teacher may conclude that the complaint or allegation is such that it is clear that an investigation by police and/or enquiries by social care is not necessary. In these circumstances the options open to the school depend on the nature and circumstances of the allegation and the evidence and information available and will range from taking no further action to summary dismissal or a decision not to use the person’s services in future.

Suspension

Suspension will be considered in any case where there is cause to suspect a child is at risk of significant harm, or the allegation warrants investigation by the police, or is so serious that it might be grounds for dismissal. However, a person will not be suspended automatically, or without careful thought.

The power to suspend is vested in the Head Teacher and the Proprietor. However, they will speak to the Designated Safeguarding Lead who may canvass police/social care views about whether the accused member of staff needs to be suspended from contact with children, to inform the school’s consideration of suspension.

Action on Conclusion of a Case

If the allegation is substantiated and the person is dismissed or the school ceases to use the person’s services, or the person resigns or otherwise ceases to provide his/her services, the Head Teacher will determine with the Designated Safeguarding Lead whether a referral to the Teaching Regulation Agency (TRA) and DBS is required, or advisable. The school must report to the TRA, any person (whether employed, contracted or a volunteer) whose services are no longer used because he or she is considered unsuitable to work with children. (Independent Education & Boarding Team, Department for Education, Ground Floor Area F, Mowden Hall, Staindrop Road, Darlington, DL3 9BG). **This report will be made within fourteen days of the decision to cease using the services of that person.** In substantiated allegations, this should be included in references, provided that the information is factual and does not include opinions.

In cases where it is decided on the conclusion of the case that a person who has been suspended can return to work at the school, will consider how best to facilitate that. We appreciate that most people will benefit from some help and support to return to work after a very stressful experience. Depending on the individual's circumstances, a phased return and/or the provision of a mentor to provide assistance and support in the short term may be appropriate. The school will also consider how the person's contact with the child or children who made the allegation can best be managed if they are still attending the school.

Action in Respect of False Allegations

If an allegation is determined to be false, the Head Teacher will refer the matter to children's social care to determine whether the child concerned is in need of services or may have been abused by someone else. In the rare event that an allegation is shown to have been deliberately invented or malicious, the Head Teacher will consider whether any disciplinary action is appropriate against the pupil who made it, or the police should be asked to consider whether any action might be appropriate against the person responsible if s/he was not a pupil.

Cases in which an allegation was found to be false, unfounded, unsubstantiated or malicious should not be included in employer references.